IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

THURSDAY, THE 6TH DECEMBER 2007 / 15TH AGRAHAYANA 1929

WP(C).No. 35847 of 2007(P)

PETITIONER:

C.K.JOHN, CHENNOTH HOUSE,
P.O.ATHANI, 683 585, ERNAKULAM DT.

BY ADV. DR.VINCENT PANIKULANGARA

RESPONDENTS:

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1. ASSISTANT EXECUTIVE ENGINEER
(TRANSMISSION SUB DIVISION),
POWER HOUSE BUILDING, KSEB, CHALAKUDY 680 307,
THRISSUR DT.

2. SPECIAL TAHSILDAR, (LA), NHDP UNIT,
THRISSUR - 680 020.

R1 BY ADV. SRI.P.P.THAJUDEEN, SC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 06/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR, J.

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W.P.(C) No.35847 of 2007

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Dated this the 6th day of December, 2007.

JUDGMENT

The W.P. is filed apprehending installation of electric post in petitioner's property over which line is already passing. However, Standing Counsel for KSEB submitted that post will be installed in the land acquired and handed over to KSEB by the National Highway Authority. In the circumstances, W.P. is closed recording the submission of Standing Counsel for KSEB that post will be installed in the acquired land only. On the other hand if there is delay in issuing notification and acquiring the land where the post is proposed, KSEB is free to proceed to instal the post after notice to the petitioner but after giving same compensation under the Land Acquisition Act at current rates.

C.N.RAMACHANDRAN NAIR
Judge

pms